

Application No. 10/823,848
Amendment dated July 23, 2006
Reply to Office Action mailed on March 22, 2006

REMARKS/ARGUMENTS

Response is hereby made to the Office Action mailed on March 22, 2004. Claims 1-3 and 5 are amended and new claims 6-7 are added.

Objection of Claims 1 and 3

Claims 1 and 3 were objected to because of informalities. Those informalities are corrected by this amendment to overcome the rejection. Therefore, Applicant respectfully requests that they be treated on the merits and allowed.

Rejection under 35 U.S.C. 112

Claims 1-5 were rejected under 35 U.S.C. 112, second paragraph. Claims 1, 2 and 5 were amended to overcome the rejection. Therefore, Applicant respectfully requests that they be allowed.

Rejection under 35 U.S.C. 103(a)

Claims 1-4 were rejected under 35 U.S.C. 103(a) as being unpatentable over Welch et al. (US 6,602,603, in view of Gallas (US 5,047,447) and Blankenship (US 6,896,905). More particularly, the Examiner suggests that it would be obvious to modify the invention of tinting polymeric substrate via coating as Welch to include melanin for providing protection from radiation, as Gallas and utilize the concept that light scattering ability of the pore is directly related to its size. Applicant respectfully traverses the rejection. First, none of the references disclose or suggest the proposed combination. Further, none of the references disclose or suggest the etching of the surface of the substrate to coat it with a polyphenol wherein the substrate is functionalized so as to react and

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bond with the polyphenol. Accordingly claims 1-4 should be allowable.

Rejection under 35 U.S.C. 103(a)

Claims 5 was rejected under 35 U.S.C. 103(a) as being unpatentable over Welch et al. (US 6,602,603, in view of Gallas (US 5,047,447) and in further view of Abbott et al. (US 6,852,285). More particularly, the Examiner suggests that it would be obvious to modify the invention of tinting polymeric substrate via coating as Welch to include melanin for providing protection from radiation, as Gallas and utilize hydrophobic moiety spacers, as Abbott discloses. Applicant respectfully traverses the rejection. None of the references disclose or suggest the proposed combination. Further, none of the references disclose or suggest the etching of the surface of the substrate to coat it with a polyphenol wherein the substrate is functionalized so as to react and bond with the polyphenol. Accordingly claims 5 should be allowable.

Applicant has amended claims 1-3 and 5 to overcome the rejections and to further clarify the invention and to distinguish it over the cited references.

Claim 1 should be allowable for the reasons stated above.

Claims 2-5 and new claims 6 and 7 should be allowable because they are depended on allowable claim 1 and because nothing in the cited references teaches, discloses or suggests inter alia the elements of those claims

Applicant requests for an extension of time of two months to make this response timely and